annum, in Advance. When not paid strictly in Advance, 83,00 will positively he charged.

> [OFFICIAL COPY.] PROPOSED

#### NEW CONSTITUTION FOR THE

STATE OF WEST VIRGINIA. Election on the Question of its Adoption, on the

Fourth Thursday in August, 1872.

RELATIONS TO THE GOVERNMENT OF THE UNITED STATES.

1. The State of West Virginia is, and shall remain, one of the United States of America. except upon probable cause, supported by The Constitution of the United States of oather affirmation, particularly describing the The Constitution of the United States of America, and the laws and treaties made in | place to be searched, or the person or thing pursuance thereof, shall be the supreme law

of the land.

2. The Government of the United States is a government of enumerated powers, and all | islature may, by suitable penalties, restrain the powers not delegated to it, nor inhibited to the States, are reserved to the States or to the people thereof. Among the powers so reserved by the States, is the exclusive regulation of their own internal government and police; and it is the high and solemn duty of the several departments of government, created by this Constitution, to guard and protect the people of this State, from all Ancroachments upon the rights so reserved.

upon the rights so reserved.
3. The provisions of the Constitution of the United States, and of this State, are operative alike in a period of war as in time of peace, and any departure therefrom, or violation thereof, under the plea of necessity, or any other plea, is subversive of good government, and tends, to anarchy and despotism.

4. For the election of representatives to Congress, the State shall be divided into districts, corresponding in number with the representatives to which it may be entitled; which districts shall be formed of contiguous counties and be compact. Each district shall contain, as nearly as may be, an equal number of population, to be determined according to the rule prescribed in the Constitution of the

#### ARTICLE II. THE STATE.

1. The territory of the following counties, formerly parts of the Commonwealth of Virginia, shall constitute and form the State of West Virginia, viz:

The counties of Barbour, Berkeley, Boone, Braxton, Brooke, Cabell, Calhoun, Clay, Doddridge, Fayette, Gilmer, Grant, Greenbrier, Hampshire, Hancock, Hardy, Harrison, Jackson, Jefferson, Kanawha, Lewis, Lincoln, Logan, Marion. Marshall, Mason, McDowell, Mercer, Mineral, Monongalia, Monroe, Morgan, Nicholas, Ohio, Pendleton, Pleasants, Pocahontas, Preston, Putnam, Raleigh, Randolph, Ritchie, Roane, Summers, Taylor, Tucker, Tyler, Upshur, Wayne, Webster, Wetzel, Wirt, Wood and Wyoming. The State of West Virginia includes the bed, bank and shores of the Ohio river, and so much of the Big Sandy river, as was fornierly included in the Commonwealth of Virginia; and all territorial rights and property in, and jurisdiction over, the same, heretofore reserved by, and vested in, the Commonwealth of Virginia. are vested in, and shall hereafter be exercised by the State of West Virginia. And such parts of the said beds, banks and shores, as te, and adjoining the several counties of this State, shall forus parts of said several counties respectively.

2. The powers of government reside in all the citizens of the State, and can be rightfully exercised only in accordance with their will and appointment.

3. All persons residing in this State, born. or naturalized, in the United States, and subject to the jurisdiction thereof shall be citizens of this State.

4. Every citizen shall be entitled to equal representation in the government, and, in all apportionments of representation, equality of numbers of those entitled thereto, shall, as far as practicable, be preserved.

5. No distinction shall be made between

residents aliens and citizens, as to the acquisition, tenure, disposition, or descent of prop-

6. Treason against the State, shall consist only in levying war against it, or in athering to its enemies, giving them aid and comfort. No person shall be convicted of treason, unless on the testimony of two witnesses to the same overt act, or on confession in open court. Treason shall be punished according to the character of the acts committed, by the infliction of one, or more, of the penalties, of death, imprisonment or fine, as may be prescribed by

7. The present seal of the State, with its motto, "Montani Semper Liberi," shall be the great seal of the State of West Virginia, and shall be kept by the Secretary of State, to be

used, by him, officially as directed by law. 8. Writs, grants and commissions, issued under the authority of this State, shall run in the name of, and official bonds shall be made payable to, the State of West Virginia. Indictments shall conclude, "Against the peace and dignity of the State."

of which, when they enter into a state of soor divest their posterity, namely : the enjoyment of life and liberty, with the means of acquiring and possessing property and of pursuing and obtaining happiness and safety.

2. All power is vested in, and consequently derived, from the people. Magistrates are their trustees and servants, and at

mon benefit, protection and security of the people, nation or community. Of all its various forms that is the best, which is capable of producing the greatest degree of happiness and safety, and is most effectually secured when any government shall be found inadequate or contrary to these purposes, a majority of the community; has an indubitable, inalienable, and indefeasible right to reform, alter or abolish it in such manner as shall

be judged most conducive, to the public weal. 4. The privilege of the writ of habeas corpus shall not be suspended. No person shall be held to answer for treason, felony or other crime not cognizable by a justice, unless on presentment or indictment of a Grand No bill of atainder, ex post facto law, or law impairing the obligation of a contract,

shall be passed.

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sual punishments inflicted. Penalties shall be proportioned to the character and degree

of the offense, No person shall be trans-

parted out of, or forced to leave the State, for

any offense comitted within the the same;

nor shall any person, in any criminal case, be

against unreasonable searches and seizures,

shall not be violated. No warrant shall issue

to be seized.
7. No law abridging the freedom of speech,

or of the press, shall be passed; but the Leg-

publication or sale of obscene books, papers,

or picture, and provide for the punishment of

libel, and defamation of character, and for

the recovery, in civil actions, by the aggrieved

party, of suitable damages for such libel, or

8. In prosecutions, and civil suits for libel.

the truth may by given in evidence; and if

it shall appear to the jury, that the matter

charged as libelous, is true, and was published

with good motives, and for justifiable ends, the verdict shall be for the defendant.

9. Private property shall not be taken or

damaged for public use, without just compen-

sation; nor shall the same be taken by any company, incorporated for the purposes of

internal improvement, until just compensation

shall have been paid, or secured to be paid to

the owner; and when private proverty shall

be taken, or damaged, for public use, or for

the use of such corporations, the compensa-

tion to the owner shall be astertained in such

provided, that when required by either of the

parties, such compensation shall be ascer-

tained by an impartial jury of twelve free-

law, and the judgment of his peers.

10. No person shall be deprived of life.

own oaths, of past alleged offenses, are re-

pugnant to the principles of free government,

and are cruel and oppressive. No religous or political test oath shall be required as a

prerequisite or qualification to vote, serve as a

juror, sue, plead, appeal or pursue any pro-

fession, or employment. Nor shall any per-

son be deprived by law, of any right or privi-

lege, because of any act done prior to the

passage of such law.
12. Standing armies in time of peace,

should be avoided, as dangerous to liberty .-

The military shall be subordinate to the civ-

il power, and no citizen, unless engaged in

the military service of the State, shall be

tried or punished by any military court, for

any offense that is cognizable by the civil

of peace, be quartered in any house, without

the consent of the owner; nor in time of war,

trial by a jury of twelve men, if required by

cither party, shall be preserved; except that

in appeals from the judgments of justices, a

jury of a less number may be authorized by

tice no jury shall be allowed. No fact tried

by a jury, shall, in any case, be otherwise re-

examined than according to the rules of the

14. Trials of crimes, and of misdemeanors

unless herein otherwise provided, shall be by

a jury of twelve men, public, without un-reasonable delay, and in the county where

the alleged offense was committed, unless

upon petition of the accused, and for good

cause shown, it is removed to some other

county. In all such trials, the accused shall

be fully and plainly informed of the charac-

ter and cause of the accusation, and be con-

fronted with the witnesses against him, and

shall have the assistance of counsel, and a

reasonable time to prepare for his defense;

and there shall be awarded to him, compul-

sory process for obtaining witnesses in his

or support any religions worwhip, place or

ministry whatsover; nor shall any man be

enforced, restrained, molested or burthened,

in his body or goods, or otherwise suffer, on

account of his religious opinions or belief;

but all men shall be free to profess, and, by

argument, to maintain their opinions in mat-

ters of religion; and the same shall, in no

wise affect, diminish, or enlarge their civil

capacities; and the Legislature shall not pre-

scribe any religious test whatever, or confer

any peculiar privileges or advantages to any

sect or denomination or pass any law requir

ing or authorizing any religious society, or

the people of any district within this State,

to levy on themselves, or others, any tax for

the erection, or repair of any house for pub-

17. The courts of this State shall be open

and every person for an injury done to him

in his person, property, or reputation, shall

have remedy by due course of law; and jus-

tice shall be administered without sale, denial

or delay.

18. No conviction shall work corruption of

19. No hereditary emoluments, honors or

20. Free government, and the blessings of

privileges shall ever be granted or conferred

liberty, can be preserved to any people only

by a firm adherence to justice, moderation,

temperance, frugality and virtue, and by a

frequent recurrence to fundamental principles.

ARTICLE IV.

ELECTIONS AND OFFICERS.

entitled to vote at all elections held within

the counties in which they respectively reside:

but no person who is a minor, or of unsound

1. The male citizens of the State shall be

blood or forfeiture of estate.

law; but in trials of civil cases before a jus-

costs, exceeds (wenty

common law.

13. In suits at common law, where the

nts of the State. No soldier shall, in time

defamation.

holders.

CHARLESTOWN, WEST VIRGINIA, TUESDAY, APRIL 30, 1872.

excessive fines imposed, nor cruel and unu-State for one year, and of the county in which he offers to vote, for sixty days next preceding such offer, shall be permitted to vote, while such disability continues; but no person in the military, naval or marine service of the United States, shall be deemed a resi-

dent of this State by reason of being stationed

therein. compelled to be witness against himself, or 2. In all elections by the people the mode of voting shall be by ballot; but the voter shall be left free to vote by either open, sealed be twice put in jeopardy of life or liberty for the same offense.

6. The right of the citizens to be sacure in their houses, persons, papers and effects

or secret ballot, as he may elect.

3. No voter, during the continuance of an election at which he is entitled to vote, or during the time necessary and convenient for going to, and returning from the same, shall be subject to arrest upon civil process, or be compelled to attend any court, or judicial proceeding, as suitor, juror or witness; or to work upon the public roads; or, except in time of war or public danger, to renler military service.

4. No person, except citizens entitled to vote, shall be elected or appointed to any State, county or municipal office; but the Governor and judges, must have attained the age of thirty, and the Attorney General and Senators, the age of twenty five years, at the beginning of their, respective terms of service; and must have been citizens of the State for five years next preceding their election or appointment, or be citizens at the time this Constitution goes into operation.

5. Every person elected or appointed to any office, before proceeding to exercise the authority or discharge the duties thereof. shall make oath or affirmation that he will support the Constitution of the United States, and the Constitution of this State, and that he will faithfully discharge the duties of his said office to the best of his skill and judgment, and no other oath, declaration or test shall be required as a qualification, unless herein otherwise provided.

manner, as may be prescribed by general law; 6. All officers elected or appointed under this Constitution may, unless in cases herein otherwise provided for, be removed from office, for official misconduct, incompetence, neglect of duty, or gross immorality, in such liberty, or property without due process of manner as may be prescribed by general laws, and unless so removed, they shall continue to 11. Political tests requiring persons, as a prarequisite to the enjoyment of their civil and discharge the duties of their respective offices until their successors are elected, or appointpolitical rights, to purge themselves by their ed, and qualified.

7. The general elections of State and county officers, and of members of the Legislature, shall be held on the second Tuesday of October, until otherwise provided by law .-The terms of such officers, not elected or appointed to fill a vacancy, shall, unless herein otherwise provided, begin on the first day of January, and of the members of the Legislature on the first day of November next succeeding their election. Elections to fill vacancies shall be for the unexpired term .-When vacancies occur prior to any general election, they shall be filled by appointments in such manner as may be prescribed herein. or by general law, which appointments shall expire at such time after the next general election, as the person so elected to fill such vacancy shall be qualified.

8. The Legislature, in cases not provided for in this Constitution, shall prescribe by except in the manner to be prescribed by law. | general laws the terms of office, powers, duties and compensation of all public officers and value in controversy, exclusive of interest and agents, and the manner in which they shall elected, appointed and removed.

9. Any officer of the State may be impeached for mal-administration, corruption, incompetency, gross immorality, neglect of duty, or any high crime or misdemeanor. The House of Delegates shall have the sole power of impeachment. The Senate shall have the sole power to try impeachments, and no person shall be convicted without the concurrence of two-thirds of the members elected thereto. When sitting as a court of impeachment, the President of the Supreme Court of Appeals, or, if from any cause, it be improper him to act, then any other Judge of that court, to be designated by it, shall preside; and the Senators shall be on oath, or affirmation, to do justice according to the law and evidence. Judgment in cases of impeachment shall not extend further than to removal from office, and disqualification to hold any office of honor, trust or profit under the State; but the party convicted shall be liable to indictment, trial, judgment and punishment according to law. The Senate may sit during the recess of the Legislature for the trial of

impeachments. 10. Any citizen of this State who shall, after the adoption of this Constitution, either in or out of the State, fight a duel with deadly weapons, or send or accept a challenge so to do, or who shall act as a second, or knowingly aid or assist in such duel, shall, ever thereafter, be incapable of holding any office of

honor, trust or profit in this State. 11. The Legislature shall prescribe the manner of conducting and making returns of elections, and of determining contested elections; and shall pass such laws as may be necessary and proper to prevent intimidation, disorder or violence at the polls, and corruption or fraud in voting, counting the vote, ascertaining or declaring the result, or fraud, in

any manner, upon the ballot. 12. No citizen shall ever be denied, or refused, the right or privilege of voting at an election, because his name is not, or has not been, registered, or listed, as a qualified voter.

# ARTICLE V.

DIVISION OF POWERS. 1. The legislative, executive, and judicial departments shall be separate and distinct, so hat neither shall exercise the powers properly belonging to either of the others; nor shall any person exercise the powers of more than one of them at the same time, except that justices of the peace shall be eligible to the Legislaturo.

# ARTICLE VI.

LEGISLATURE. 1. The Legislative power shall be vested in the Senate and House of Delegates. The style of their acts shall be, "Be it enacted by the Legislature of West Virginia."

2. The Senate shall be composed of twentyfour, and the House of Delegates of sixty five members, subject to be increased according to the provisions hereinafter contained.

Senators shall be elected for the term of four years, and delegates for the term of two years. The Senators first elected, shall divide themselves into two classes, one Senator from every district being assigned to each class; and of these classes, the first to be designated by lot, in such manner as the Senate may demind, or a pauper, or who is under convict termine, shall hold their seats for two years, tion of tresson, felony, or bribery in an elec-first election, one-half of the Senators shall

be elected bi-ennially.

shall be divided into twelve Senatorial districts, which number shall not be diminished, but may be increased, as hereinafter provided. Every district shall elect two Senators, but where the district is composed of more than one county, both shall not be chosen from the same county. The districts shall be compact, formed of contiguous territory, bounded by county lines, and as nearly as practicable, be equal in population, to be ascertained by the census of the United States, After every such census, the Legislature shall alter the Senatorial districts, so far as may be necessary to make them conform to the foregoing pro-

5. Until the Senatorial districts shall be altered by the Legislature as herein prescribed, the counties of Hancock, Brooke and Ohio, shall constitute the first senatorial district: Marshall. Wetzel and Marion, the second; Ritchie, Doddridge, Harrison Gilmer and Calhoun, the third; Tyler, Pleasants, Wood and Wirt, the fourth; Jackson, Mason, Putnam and Roane, the fifth; Kanawha, Clay Nicholas, Braxton and Webster, the sixth Cabel, Wayne, Lincoln Boone, Logan, Wyoming, McDowell and Mercer, the seventh : Monroe, Greenbrier, Summers, Pocahontas, Fayette and Raleigh, the eighth; Lewis, Randolph, Upshur, Barbour, Taylor and Tucker, the ninth; Preston and Monongalia, the tenth; Hampshire, Mineral, Hardy, Grant Pendleton, the eleventh; Berkeley, Morgan and Jefferson, the twelfth.

6. For the election of Delegates, every county containing a population of less than three-fifths of the ratio of representation for the House of Delegates, shall, at each apportionment, be attached to some contiguous county or counties, to form a Delegate Dis-

7. After every census the Delegates shall be apportioned as follows: The ratio of representation for the House of Delegates, shall be ascertained by dividing the whole popula-tion of the State, by the number of which the House is to consist, and rejecting the fraction of a unit, if any, resulting from such division. Dividing the population of every delegate district, and of every county not included in a delegate district, by the ratio thus ascertained there shall be assigned to each, a number of Delegates equal to the quotient obtained by this division, excluding the fractional remainder. The additional delegates necessary to make up the number of which the House is to consist, shall then be assigned to those delegate districts and counties, not included in a delegate district, which would otherwise, have the largest fractions unrepresented, but every delegate district, and county not included in a delegate district, shall be entitled to at least one dele-

8. Until a new apportionment shall be de clared, the counties of Pleasants and Wood shall form the first Delegate District, and elect three Delegates; Ritchie and Calhoun, the second, and elect two Delegates; Barbour, Harrison and Taylor, the third, and elect one Delegate; Randolph and Tucker the fourth, and elect one Delegate; Nicholas, Clay and Webster, the fifth, and elect one Delegate; McDowell and Wyoming, the sixth, and elect one Delegate.

9. Until a new apportionment shall be de clared, the apportionment of Delegates to the counties not included in delegate districts. and to Barbour, Harrison and Taylor counties, embraced in such districts, shall be as

To Barbour, Boone, Braxton, Brooke, Cabell, Doddridge, Fayette, Hampshire, Hancock, Jackson, Lewis, Logan, Greenbrier, Monroe, Mercer, Mineral, Morgan, Grant, Hardy, Lincoln, Pendleton, Putnam, Roane, Gilmer, Taylor, Tyler, Upshur, Wayne, Wetzel, Wirt, Pocahontas, Summers and Raleigh counties one delegate each.

To Berkeley, Harrison, Jefferson, Marion, Marshall, Mason, Monongalia and Preston counties, two Delegates each. ... To Kanawha county, three Delegates.

To Qhio county, four Delegates. 10. The arrangement of the Senatorial and Delegate Districts, and apportionment of Del egates, shall hereafter be declared by law, as soon as possible after each succeeding census taken by authority of the United States .-When so declared, they shall apply to the first general election for members of the Legislature to be thereafter held, and shall continue in force unchanged until such districts shall be altered and delegates apportioned under the succeeding census.

11. Additional territory may be admmit-ted into and become part of this State, with the consent of the Legislature and a majority of the qualified voters of the State voting on the question. And in such case, provision shall be made by law, for the representation thereof, in the Senate and House of Delegates, in conformity with the principles set forth in this Constitution. And the number of members of which each house of the Legislature is to consist, shall thereafter be increased by the representation assigned to such additional territory, 12. No person shall be a Senator or Dele-

gate, who has not for one year next preceeding his election, been a resident within the district or county from which he is elected : and if a Senator or Delegate remove from the district or county for which he was elected, his seat shall be thereby vacated.

13. No person holding a lucrative office under this State, the United States, or any foreign government; no member of Congress; no person who is a salaried officer of any rail road company, or who is sheriff, constable or clerk of any court of record, shall be eligible to a seat in the Legislature. 14. No person who has been, or hereafter

shall be, convicted of bribery, perjury, or other infamous crime, shall be eligible to a seat in the Legislature. No person who may have collected, or been entrusted with public money, whether State, county, tewnship, district or other municipal organization, shall be eligible to the Legislature, or to any office of honor, trust or profit in this State, until he shall have duly accounted for, and paid over such money according to law.

15. No Senator or Delegate, during the term for which he shall have been elected, shall be elected or appointed to any civil office of profit under this State, which has been created, or the emoluments of which have been increased during such term; except offices to be filled by election by the people. Nor shall any member of the Legislature be interested, directly or indirectly, in any contract with the State, or any county thereof, authorized by any law passed during the term for which he

16. Members of the Legislature, before after its passage, unless, the Legislature shall, they enter upon their duties, shall take and by a vote of two-thirds of the members electsubscribe the following oath, or affirmation: ed to sach House, taken by year and nays,

I do solemnly swear (or affirm) that I will support the Constitution of the United States. and the Constitution of the State of West Virginia, and faithfully discharge the duties of Senator (or Delegate) according to the best of my ability;" and they shall also take this further oath, to-wit : "I will not accept or receive, directly or indirectly, any money or other valuable thing, from any corporation, company or person, for any vote or influence I may give or withhold, as Senator (or Delegate) on any bill, resolution or appropriation, or for any act I may do or perform as Senator (or Delegate.") These oaths shall be administered in the Hall of the House to which the member is elected by a Judge of the Supreme Court of Appeals, or of a Circuit Court, or by any other person authorized by law to administer an oath; and the Secretary of State shall record and file said oaths subscribed by each member; and no other oath or declaration shall be required as a qualification. Any member who shall refuse to take the oath herein prescribed shall forfeit his seat, and any member who shall be convicted of having violated the oath last above required to be taken shall forfeit his seat, and be disqualified thereafter from holding any office of profit or trust in this State.

17. Members of the Legislature shall, in all cases, except treason, felony, and breach of the peace, be privileged from arrest during the session, and for ten days before and after the same; and for words spoken in debate, or any report, motion or proposition, made in either House, a member shall not be questioned in any other place.
18. The Legislature shall assemble at the

seat of government bi-ennially, and not oftener, unless convened by the Governor. The first session of the Legislature, after the adoption of this Constitution, shall commence on the third Tuesday of November, 1872, and the regular bi-ennial session of the Legislature shall commence on the second Wednesday of January, in 1875, and every two years thereafter on the same day.

19. The Governor may convene the Legislature by proclamation whenever, in his opinion, the public safety or welfare shall require it. It shall be his duty to convene it on application, in writing, of three-fifths of the members elected to each House.

20. The seat of government shall be at Charleston, until otherwise provided by law. 21. The Governor may convene the Legislature at another place, when, in his opinion, it cannot safely assemble at the seat of gov-ernment; and the Legislature may, when in session, adjourn to some other place, when, in its opinion, the public safety or welfare, or the safety of the members, or their health shall require it.

22. No session of the Legislature, after the first, shall continue longer than forty-five days, without the concurrence of two thirds of the members elected to each House.

23. Neither House shall, during the sessio adjourn for more than three days, without the consent of the other. Nor shall either, without such consent, adjourn to any other place than that in which the Legislature is sitting.

24. A majority of the members elected to each house of the Legislature, shall constitute quorum. But a smaller number may adjourn from day to day, and shall be authorized to compel the attendance of absent members, as each. House may provide. Each House shall determine the rules of its proceedings, and be the judge of the elections, returns and qualifications of its own members. The Senate shall choose, from its own body, a President, and the House of Delegates, from its own body, a Speaker. Each House shall appoint its own officers, and remove them at leasure. The oldest Delegate present shall call the House to order at the opening of each new House of Delegates, and preside over it, until the Speaker thereof shall have been chosen and have taken his seat. The oldest member of the Senate present at the commencement of each regular session thereof shall call the Senate to order and preside over the same until a President of the Senate shall

have been chosen and have taken his seat. 25. Each House may punish its own members for disorderly behavior, and with the concurrence of two-thirds of the members elected thereto, expel a member, but not twice for

the same offense. 26. Each House shall have power to provide for its own safety, and the undisturbed transaction of its business, and may punish, by imprisonment, any person not a member, for disrespectful behavior in its presence; for obstructing any of its proceedings, or any of its officers in the discharge of his duties, or for any assault, threat, or abuse of a member, for words spoken in debate. But such imprisonment shall not extend beyond the termination of the session, and shall not prevent the punishment of any offense by the ordinary course of law.

27. Laws shall be enacted and enforced by suitable provisions and penalties, requiring sheriffs and all other officers, whether State, county, district or municipal, who shall collect or receive, or whose official duty it is, or shall be, to collect, receive, hold or pay out any money belonging to, or which is, or shall be, for the use of the State or of any county, district, or municipal corporation, to make annual account and settlement therefor. Such settlement, when made, shall be subject to exceptions, and take such direction, and have only such force and effect as may be provided by law; but in all cases, such settlement shall be recorded, and be open to the examination of the people at such convenient place or places as may be appointed by law.

28. Bills and resolutions may originate in either House, but may be passed, amended or rejected by the other.

29. No bill shall become a law until it has been fully and distinctly read, on three different days in each House, unless, in case of urgency, by a vote of four-fifths of the members present, taken by yeas and nays, on each bill, this rule be dispensed with : Provided in all cases, that an engrossed bill shall be fully and distinctly read in each House.

30. No act hereafter passed shall embrace more than one object, and that shall be expressed in the title. But if any object shall be embraced in an act, which is not so expressed, the act shall be void only as to so much thereof as shall not be so expressed, and no law shall be revived, or amended, by reference to its title only; but the law revived, or the section amended, shall be inserted at large, in the new act. And no act of the Legislature, except such as may be passed at the first session under this Constitution, shall of any of his official or public duties; and, take effect, until the expiration of ninety days also, to provide, by law, for the punishment,

ADVERTISING RATES.

TRANSIENT BILLS-CASH

One square (I inch or less.) I to 3 weeks. \$1.59
Each subsequent insertion. 50
One square, three months. 4.00
One square, three months. 6.00
One square, six months. 6.00
One square, one year. 10.00
CANDIDATES' ASSOUNCEMENTS.—For County Officers, \$5.00; State or Congressional, \$10.00
Legal advertisements at the published rates.
Obituary Notices exceeding five lines, ten cents per line.

37-All transient advertisements due and collectable after the first insertion.
Liberal deductions made for Quarter, Half and Whole Columns for Annual, Semi-Annual and Quarterly Advertisers.

NO. 18.

31. When a bill, or joint resolution, passe

by one House, shall be amended by the other,

the question on agreeing to the bill, or joint

resolution, as amended, shall be again voted

on, by yeas and nays, in the House by which

it was originally passed, and the result entered-upon its journal; in all such cases, the affirm-

ative vote of a majority of all the members elected to such House shall be necessary.

32. Whenever the words "a majority of

the members elected to either House of the

Legislature," or words of like import, are

used in this Constitution, they shall be con-

strued to mean a majority of the whole num-

ber of members to which each House is, at

the time, entitled, under the apportionment

of representation established by the provi-

sions of this Constitution.

33. The members of the Legislature shall

each receive for their services the sum of four

dollars per day, and ten cents for each mile

traveled in going to, and returning from, the

seat of government, by the most direct route.

The Speaker of the House of Delegates, and

the President of the Senate, shall each re-

ceive an additional compensation of two dol-

lars per day for each day they shall act as

presiding officers. No other allowance or

emoluments, than that by this section pro-

vided, shall, directly or indirectly, be made

or paid to the members of either House for

postage, stationery, newspapers, or any other

purpose whatever.

34. The Legislature shall provide by law,

that the fuel, stationery and printing paper

ing, printing, binding and distributing the laws and journals; and all other printing or-

dered by the Legislature, shall be let by con-

tract to the lowest responsible bidder, bidding

under a maximum price to be fixed by the

Legislature; and no member or officer there-

of, or officer of the State, shall be interested

directly or indirectly, in such contract, but all such contracts shall be subject to the ap-

proval of the Governor, and in case of his dis

approval of any such contract, there shall be

a re-letting of the same in such manner as

35. The State of West Virginia shall nev-

er be made defendant in any court of law or

to authorize lotteries or gift enterprises, for

any purpose, and shall pass laws to prohibit

the sale of lottery or gift enterprise tickets

37. No law shall be passed after the elec-

tion of any public officer which shall operate to extend the term of his office.

38. No extra compensation shall be grant-

ed or allowed to any public officer, agent,

servant or contractor, after the services shall

have been rendered or the contract made

nor shall any Legislature authorize the pay-

ment of any claim or part thereof, hereafter

created against the State, under any agree-

ment or contract made without express au-

thority of law; and all such authorized agree-

ments shall be null and void. Nor shall the

salary of any public officer be increased or di-

sureties, be released from any debt or lia-

bility due to the State : Provided, The

Legislature may make appropriations for ex-

penditures hereafter incurred, in suppressing

39. The Legislature shall not pass local or

special laws, in any of the following enumer-

Granting divorces; Laying out, opening, altering, and working

Vacating roads, town plats, streets, alleys

Regulating or changing county or district

Providing for the sale of church preperty,

Regulating the practice in courts of justice;

Incorporating cities, towns or villages, or

amending the charter of any city, town or

village, containing a population of less than

Summoning or empanneling grand or petit

The opening or conducting of any election

or designating the place of voting;
The sale, or mortgage of real estate, be

longing to minors, or others under disability;

Chartering, licensing or establishing ferries

Remitting fines, penalties, or forfeitures;

Authorizing deeds to be made for lands

The Legislature shall provide, by general

laws, for the foregoing and all other cases for

which provision can be so made; and in no

case shall a special act be passed, where a gen-

eral law would be proper, and can be made

applicable to the case, nor in any other case

competent to give the relief asked for.

which the courts have jurisdiction, and are

40. The Legislature shall not confer upon

any court or judge the power of appointment

to office, further than the same is herein pro-

vided for, 41. Each House shall keep a journal of its

proceedings, and cause the same to be pub-

lished from time to time, and all bills and

joint resolutions shall be described therein

as well by their title as their number, and

the yeas and nays on any question, if: called

for by one-tenth of those present, shall be en-

42. Bills making appropriations for the

pay of members and officers of the Legisla-

ture, and for salaries for the officers of the

43. The Legislature shall never authorize

or establish any board, or court of registra-

tion for voters.
44. In all elections to office which may

hereafter take place in the Legislature, or in

any county or municipal body, the vote shall

be viva voće, and be entered on its journals.

45. It shall be the duty of the Legislature,

at is first session after the adoption of this

Constitution, to provide by law, for the pun-

ishment, by imprisonment, in the penitentia-

ry, of any person who shall bribe, or attempt to bribe, any executive or judicial officer of

this State, or any member of the Legislature,

Changing the law of descent;

Regulating the rate of interest;

Releasing title to forfeited lands;

Locating or changing county seats;

or property held for charitable uses;

shall any such officer, or his or

nsurrection, or repelling invasion.

ated cases; that is to say, for

roads or highways;

and public grounds ;...

two thousand ;

or toll bridges;

sold for taxes;

Releasing taxes :

tered on the journal.

may be prescribed by law.

in this State.

furnished for the use of the State; th

otherwise direct.

by imprisonment, in the penitentiary, of any of said officers, or any member of the Leg-islature, who shall demand, or receive, from any corperation, company or person, any money, testimenial, or other valuable thing. for the performance of his official or public duties, or for refusing, or failing to perform the same, or for any vote or influence a member of the Legislature, may give or withhold as such member; and, also, to provide, by law, for compelling any person, so bribing, or sttempting to bribe, or so demanding or re-ceiving a bribe, fee, reward, or testimonial, to testify against any person or persons, who may have committed any of said offenses: Provided, That any person so compelled to testify, shall be exempted from trial and punishment for the offense, of which he may have been guilty, and concerning which he is compelled to testify; and any person con-victed of any of the offences specified in this section, shall, as a part of the punishment thereof, be forever disqualified from holding any office or position of honor, trust or profit in this State.

46. Laws may be passed regulating or prehibiting the sale of intoxicating liquors within the limits of this State.

47. No charter of incorporation shall be granted to any church or religious denomination. Provision may be made by general laws for securing the title to church property, and for the sale and transfer thereof, so that it shall be held, used, or transferred for the purposes of such church or religious denomi-

48. Any husband or parent residing in this State, or the infant children of deceased parents, may hold a homestead of the value of one thousand dollars, and personal property to the value of two hundred dollars, exempt from forced sale, subject to such regulations as shall be prescribed by law: Provided, That such homestead exemption shall in nowise affect debts or liabilities existing at the time of the adoption of this Constitution : and provided further, that no property shall be exempt from sale for taxes due thereon, or for the payment of purchase money due upon said property, or for debts contracted for the erection of improvements thereon.

49. The Legislature shall pass such laws as may be necessary to protect the property of married women from the debts, liabilities, and control of their husbands. equity.
36. The Legislature shall have no power

50. The Legislature may provide for submitting to a vote of the people at the general election to be held in 1876, or at any general election thereafter, a plan or scheme of proportional representation in the Senate of this State; and if a majority of the votes cast at such election be in favor of the plan summitted to them, the Legislature shall at its session succeeding said election, re-arrange the Senatorial Districts in accordance with the plan so approved by the people.

### ARTICLE VII.

EXECUTIVE DEPARTMENT I. The Executive Department shall consist of a Governor, Secretary of State, State Superintendent of Free Schools, Auditor, Treasurer, and Attorney General, who shall be ex officio Reporter of the Court of Appeals .-Their terms of office, respectively, shall be minished, during his term of office, not four years, and shall commence on the fourth day of March next after their election. They shall, except the Attorney General, reside at the seat of government during their terms of office, and keep there the public records books and papers pertaining to their respective offices, and shall perform such duties as may be

prescribed by law. ELECTION.

2. An election for Governor, State Superintendent of Free Schools, Auditor, Treasurer and Attorney General shall be held at such times and places as may be prescribed in this

Constitution or by general law. 3. The returns of every election for the above named officers shall be sealed up and transmitted by the returning officers to the Secretary of State, directed to "The Speaker of the House of Delegates," who shall, immediately after the organization of the House. and before proceeding to business, open and publish the same, in the presence of a majority of each House of the Legislature, which shall, for that purpose, assemble in the Hall of the House of Delegates. The person having the highest number of votes for either of said offices shall be declared duly elected thereto; but if two or more have an equal and the highest number of votes for the same office, the Legislature shall, by joint vote, choose one of such persons for said office. Contested elections for the office of Governor shall be determined by both Houses of the Legislature, by joint vote, in such manner as may be prescribed by law. The Secretary of State shall be appointed by the Governor; by and with the advice and consent of the Senate, and shall continue in office, unless sooner removed, until the expiration of the official term of the Governor by whom he

shall have been appointed. ELIGIBILITY.

4. Neither the Governor, State Supering tendent of Free Schools, Auditor, Treasurer, nor Attorney General, shall hold any other office during the term of his service. The Governor shall be ineligible to said office for the four years next succeeding the term for which he was elected.

5. The chief executive power shall be

vested in the Governor, who shall take care that the laws be faithfully executed.

6. The Governor shall, at the comm ment of each session, give to the Legislatura information, by message, of the condition of the State, and shall recommend such measures as he shall deem expedient. He shall secompany his message with a statement of all money received and paid out by him, from any funds subject to his order, with vouchers therefor subject to his order, with vouchers therefor; and, at the commencement of each regular session, present estimates of the amount of money required by taxation for all purposes.

7. The Governor may, on extraordinary occasions, convene, at his own instance, the Legislature; but when so convened, it shall cuter upon no business, except that stated in the proclamation by which it was called together.

8. The Governor shall nominate, and by and with the advice and consent of the Senate (a majority of all the Senators elected consent. government, shall contain no provision on any (a majority of all the Senators elected concur-ring by yeas and nays), appoint all officers whose offices are established by this Constitution; or shall be created by law, and whose sp-

of the Senate, in any office which is not else-tive, the Governor shall, by appointment, fill

ointment or election is not otherwise provided or, and no such officers shall be appointed or elected by the Legislature.
9. In case of a vacancy, during the recess

(Continued next week )

# ARTICLE HIL

lie worship, or for the support of any church BILL OF RIGHTS or ministry, but it shall be left free for every 1. All men are, by nature, equally free and person to select his religious instructor, and independent, and have certain inherent rights. to make for his support such private contract as he shall please. .

16. The right of the people to assemble in viety, they cannot, by any compact, deprive a peaceable manner, to consult for the common good, to instruct their representatives, or apply for redress of grievances, shall be held inviolate.

all times amenable to them.

3. Government is instituted for the comagainst the danger of mal-administration; and